



TRANSMITTAL LETTER			Case No. 33-899
Serial No. 10/679,754	Filing Date October 6, 2003	Examiner Unassigned	Group Art Unit Unassigned
Inventor(s) Beach and Waldman			
Title of Invention FLUSH MOUNTED, DE-ICING SPRAY NOZZLE			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Information Disclosure Statement, Form PTO 1449, and copies of 11 cited references; and return receipt postcard.

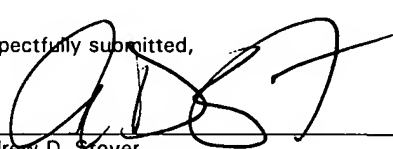
- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity		or	Other Than Small Entity	
Rate	Add'l Fee		Rate	Add'l Fee
x \$9 =			x \$18 =	
x 43 =			x \$86 =	
+ \$145 =			+ \$290 =	
Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Andrew D. Stover
Registration No. 38,629
Attorney for Applicant
Customer No. 00757 - Brinks Hofer Gilson Lione

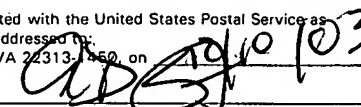
BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

Date:

12/10/03

Signature:





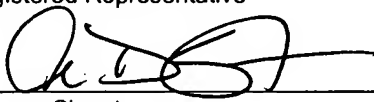
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

12/10/03
Date of Deposit

Andrew D. Stover, Reg. No. 38,629

Name of Applicant, Assignee or
Registered Representative


Signature

12/10/03
Date of Signature

Our Case No.: 33-899

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Beach and Waldman

Serial No.: 10/679,754

Filing Date: October 6, 2003

For: FLUSH-MOUNTED, DE-ICING
SPRAY NOZZLE

Examiner: Unassigned

Group Art Unit No.: Unassigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2)(i) are enclosed for the convenience of the Examiner.

The references now cited are the following:

DOCUMENT NUMBER	ISSUE DATE	PATENTEE
3,540,655	11/1970	HINRICHS
4,945,675	08/1990	KENDRICK
5,207,499	05/1993	VAJDA ET AL.
5,447,272	09/1995	ASK
6,035,887	03/2000	CATO
6,082,638	04/2000	ASK ET AL.
6,102,306	08/2000	ASK ET AL.
6,126,083	10/2000	BOSCHUNG ET AL.
6,270,020 B1	08/2001	THOMPSON ET AL.
6,443,176 B1	09/2002	WATERSON
6,450,731 B1	09/2002	BOHNHOFF

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY
EP 0 461 295 A1	12/1991	EP
EP 0 461 295 B1	02/1994	EP

OTHER ART

Surface Systems, Inc., "RWIS Overview," http://www.ssiweather.com/wintermenu.asp?citem=1 , page 1 of 1, dated 7/30/2003.
Surface Systems, Inc., "SSI Sensing the Future®: FP2000® Surface Sensor," http://www.ssiweather.com/wintermenu.asp?citem=3 , pages 1-3, dated 7/30/2003.
freezefree product, "FreezeFree™ Nitro System: Winner of the 2002 Better Roads Top Rollout Award," http://www.energyabsorption.com/products/freezeFree/freezefree_nitro_system.htm , page 1 of 2, dated 2/24/2003.
freezefree product, "FreezeFree™ Basic System," http://www.energyabsorption.com/products/freezeFree/freezefree_basic_system.htm , pages 1-2, dated 2/24/2003.
TMS 2000, "boschung: Thawing Agent Spray System Thawspray TMS 2000," http://www.boschung.com/prod02.htm , pages 1-2, dated 2/20/2003.
TMS 2000, "Thawspray: Stationary De-icing Service," boschung mecatronic brochure, 4 pages, Boschung Company, Inc., date unknown.
MTS, "Mini Thawing Agent Spray System," Boschung Mecatronic AG brochure, 4 pages, Boschung Company, Inc., date unknown.
Boschung America, LLC, "F.A.S.T.: FIXED AUTOMATED SPRAY TECHNOLOGY," http://www.boschungamerica.com/fast_ins.html , page 1 of 1, dated 4/7/2003.
Boschung America, LLC, "F.A.S.T.: FIXED AUTOMATED SPRAY TECHNOLOGY," http://www.boschungamerica.com/fast_spr.html , page 1 of 1, dated 4/7/2003.

Pursuant to the undersigned attorney's obligation and duties under C.F.R. §§ 1.56 and 1.98(a)(3), an English language translation of European Patent reference 0 461 295 A1 is provided for the express purpose of providing a concise explanation of

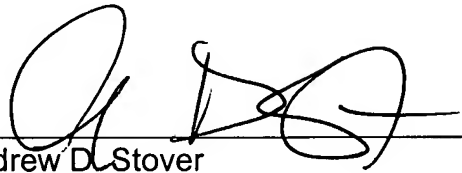
that reference to the Examiner and the USPTO with opportunity to evaluate the same. Applicants further note that European Patent reference 0 461 295 B1 is related to European Patent reference 0 461 295 A1, and further that the B1 reference has English language claims which further provide a concise explanation of that reference.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Stover', is written over a horizontal line.

Andrew D. Stover
Registration No. 38,629
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200



FORM PTO-1449	SERIAL NO. 10/679,754	CASE NO. 33-899
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE 10/06/2003	GROUP ART UNIT Unassigned
(use several sheets if necessary)		APPLICANT(S): Beach and Waldman

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	3,540,655	11/1970	HINRICHS		
	A2	4,945,675	08/1990	KENDRICK		
	A3	5,207,499	05/1993	VAJDA ET AL.		
	A4	5,447,272	09/1995	ASK		
	A5	6,035,887	03/2000	CATO		
	A6	6,082,638	04/2000	ASK ET AL.		
	A7	6,102,306	08/2000	ASK ET AL.		
	A8	6,126,083	10/2000	BOSCHUNG ET AL.		
	A9	6,270,020 B1	08/2001	THOMPSON ET AL.		
	A10	6,443,176 B1	09/2002	WATERSON		
	A11	6,450,731 B1	09/2002	BOHNHOFF		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A12	EP 0 461 295 A1	12/1991	EP		Yes
	A13	EP 0 461 295 B1	02/1994	EP		Claims only

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small>	
	A14	Surface Systems, Inc., "RWIS Overview," http://www.ssiweather.com/wintermenu.asp?citem=1 , page 1 of 1, dated 7/30/2003.
	A15	Surface Systems, Inc., "SSI Sensing the Future®: FP2000® Surface Sensor," http://www.ssiweather.com/wintermenu.asp?citem=3 , pages 1-3, dated 7/30/2003.
	A16	freezefree product, "FreezeFree™ Nitro System: Winner of the 2002 Better Roads Top Rollout Award," http://www.energyabsorption.com/products/freezeFree/freezefree_nitro_system.htm , page 1 of 2, dated 2/24/2003.
	A17	freezefree product, "FreezeFree™ Basic System," http://www.energyabsorption.com/products/freezeFree/freezefree_basic_system.htm , pages 1-2, dated 2/24/2003.
	A18	TMS 2000, "boschung: Thawing Agent Spray System Thawspray TMS 2000," http://www.boschung.com/prod02.htm , pages 1-2, dated 2/20/2003.
	A19	TMS 2000, "Thawspray: Stationary De-icing Service," boschung mecatronic brochure, 4 pages, Boschung Company, Inc., date unknown.

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	SERIAL NO. 10/679,754	CASE NO. 33-899
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE 10/06/2003	GROUP ART UNIT Unassigned
(use several sheets if necessary)		APPLICANT(S): Beach and Waldman



EXAMINER INITIAL	OTHER ART - NON PATENT LITERATURE DOCUMENTS (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.	
	A20	MTS, "Mini Thawing Agent Spray System," Boschung Mecatronic AG brochure, 4 pages, Boschung Company, Inc., date unknown.
	A21	Boschung America, LLC, "F.A.S.T.: FIXED AUTOMATED SPRAY TECHNOLOGY," http://www.boschungamerica.com/fast_ins.html , page 1 of 1, dated 4/7/2003.
	A22	Boschung America, LLC, "F.A.S.T.: FIXED AUTOMATED SPRAY TECHNOLOGY," http://www.boschungamerica.com/fast_spr.html , page 1 of 1, dated 4/7/2003.

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.